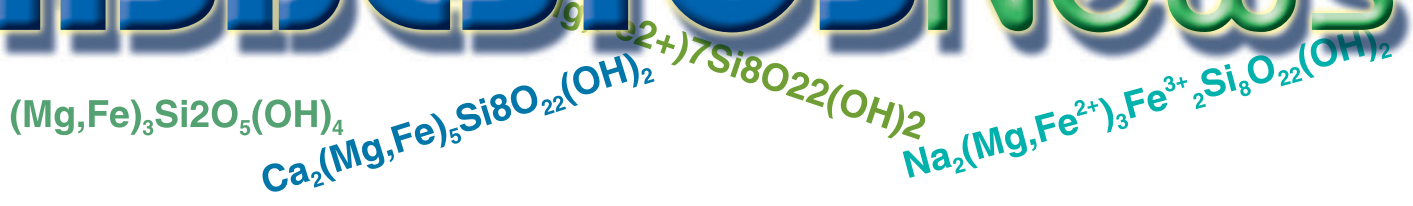


ASBESTOSNews



United States Environmental Protection Agency Region 10

March 2004

The Asbestos Team at EPA Region 10

The EPA Region 10 Asbestos Team is here and ready to work with you to ensure a safe environment and to protect human health. Meet the team members below.



Carmen Caldwell- Regional Asbestos Coordinator and Asbestos News Editor

I began with EPA Region 10 in 1999. I have been the Regional Asbestos Coordinator since October 2001. I work mainly on issues related to the Asbestos Hazard Emergency Response Act (AHERA) and the Model Accreditation Plan (MAP). I am an accredited building inspector, management planner and abatement worker. I look forward to working with you to ensure that our schools are safe and the asbestos training received meets the standards EPA has set forth.

Please feel free to contact me with any asbestos questions and/or concerns you may have.

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Ray Nye - NESHAP Coordinator

I worked in the Office of Air for twenty years in the areas of new source review and rose to senior environmental protection specialist level working in the prevention of significant deterioration and outer continental shelf permitting programs. I then worked in the Office of Waste and Chemicals Management for three years providing enforcement case review and violation assessments under the PCB regulations. I presently share my expertise between

the PCB, asbestos NESHAP and ozone depleting substances programs. Based on my experience, I have attained the knowledge on what makes enforcement work and how to ensure compliance.

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Jed Januch - Investigator for the Investigation and Engineering Unit

I began working for the EPA Region 10 pesticide program in 1991 after working for the Washington State Department of Agriculture as an agricultural chemical investigator. I am currently assigned to the EPA Region 10 Investigation and Engineering Unit conducting inspections and investigations in various programs including AHERA. I have also conducted studies of asbestos contamination of products containing vermiculite and asbestos contamination of sites where vermiculite was processed.

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Maria Tartaglia - AHERA Team Member

I've been with EPA Region 10 since 1993. I became part of the AHERA Team in 2002. My primary responsibility is to work on AHERA-related issues. I have my credentials as a building inspector. Please feel free to contact me with any asbestos questions.

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Workshop to Develop a Method to Determine Whether Libby Amphibole (LA) Is Present in a Sample of Vermiculite Attic Insulation (VAI)

On February 17-18, 2004 a workshop to develop a method to determine whether Libby amphibole is present in a sample of vermiculite attic insulation was held. The meeting was held in Alexandria, VA and was open to the public.

Meeting Details:

Description: Home and building owners, who have vermiculite attic insulation (VAI), may want to know whether the vermiculite contains Libby amphibole. The purpose of this day and a half workshop is for a panel of experts to meet and propose a method to determine whether Libby amphibole is present in a sample of VAI. The objective of the method is to be: accurate with respect to identifying Libby amphibole, affordable to the average homeowner, and adaptable to most current commercial fiber analysis laboratories. This method will not identify or measure other non-Libby amphibole components of the VAI and will not make any judgments on potential risk from Libby amphibole or disturbed/undisturbed VAI.

The “Cincinnati Method” addresses measuring Libby Amphibole in vermiculite attic insulation (VAI). The “Cincinnati Method” will most likely be the starting point to propose the new method, which is (a) accurate with respect to identifying Libby amphibole, (b) affordable to the average homeowner, and (c) adaptable to most current commercial fiber analysis laboratories, to determine whether Libby amphibole is present in a sample of VAI.

View the “Cincinnati Method” [PDF] at <http://www.epa.gov/opptintr/asbestos/vairesearchmethod.pdf>

For More Information Contact:

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John Smith - Phone - (202)-566-0512 or E-mail smith.johnh@epa.gov

Glenn Shaul - Phone -(513) 569-7408 or E-mail shaul.glenn@epa.gov

Website:

<http://www.epa.gov/opptintr/asbestos/vermmtg.html>

Post Meeting Details:

Meeting Transcripts: There will not be a written or recorded transcript of the meeting. The meeting will be recorded for the panel’s reference only.

Attendee List: A list of attendees will be available within one week of the conclusion of the meeting at <http://www.epa.gov/opptintr/asbestos/vermmtg.html> and through EPA’s TSCA hotline (202-544-1404).

Panel Report: A report of a draft method based on the panel’s recommendations will be posted on the site above within six months of the close of the panel meeting.

Asbestos National Meeting

The Asbestos National Meeting was held on October 28-30, 2003 in Virginia Beach, Virginia. Tapes from the meeting can be heard on the National Conference of State Legislatures website at the following link: <http://www.ncsl.org/programs/esnr/2003asbmtg.htm>.

School District Spotlight

Bellevue School District, Bellevue, WA

The Bellevue School District is located in Bellevue, WA. Its student population is approximately 15,120. The District has 16 elementary schools, 5 middle schools, 4 high schools, and 6 alternative schools. The Bellevue School District Safety Program is available online for parents, teachers and the public to view. It contains information from Emergency Procedures to Health to Environmental Issues. Some of the District’s AHERA information can be found there as well. The following link leads you to the Bellevue School District Safety Program site: <http://www.bsd405.org/safety/> You can find out about their asbestos program by clicking on Environmental Issues, then click on AHERA. Great job BSD...thanks for sharing!!!

Training Provider Highlight

If you are in need of Asbestos Hazard Emergency Response Act (AHERA) training as a **Building Inspector, Management Planner, Abatement Worker, Contractor/Supervisor, Project Designer, or Project Monitor**, please contact one of the Region’s EPA accredited training providers. These training providers, along with course dates, can be found on the EPA Region 10 website. Go to www.epa.gov/region10 Click on Waste and Chemicals Click on Asbestos Click on Updated AHERA Training

You can also find these training providers on the National EPA Asbestos Website at www.epa.gov/asbestos. Click on NDAAC Directory.

National Asbestos News

Congoleum Files for Bankruptcy, Files Prepack to Resolve Asbestos Claims

Floor covering maker Congoleum Corp. has filed a prepackaged bankruptcy plan in the U.S. Bankruptcy Court in Trenton, N.J., saying it had garnered needed support from asbestos claimants, according to Reuters. Congoleum said Wednesday it plans to seek quick confirmation of the plan to resolve claims related to its use of asbestos decades ago in flooring products. Congoleum also said it plans to contribute certain insurance rights and a note for about \$2.7 million to a trust for asbestos personal injury claimants.

Recent Asbestos NESHAP Court Ruling

The U.S. EPA Region IX (the “Region”) filed an administrative complaint against Morton L. Friedman (“Mr. Friedman”) and Richard Schmitt (“Mr. Schmitt”) (collectively, “Friedman and Schmitt”). The complaint requested a civil administrative penalty \$134,500 for three alleged violations of sections 112 and 114 of the Clean Air Act (“CAA”) and the notice and work practice

requirements of the National Emissions Standards for Hazardous Air Pollutants for asbestos 40 C.F.R. Part 61, subpart M (“the Asbestos NESHAP”). The alleged violations concerned Mr. Schmitt’s removal of regulated asbestos-containing material (“RACM”) from several buildings during redevelopment of a shopping center owned by Mr. Friedman. Administrative Law Judge William B. Moran (the “ALJ”) found that Friedman and Schmitt were not liable for the alleged violations.

The Region requested that the Environmental Appeals Board (the “Board”) reverse the ALJ and assess a significant penalty. The Board reversed the ALJ’s finding of no liability and assessed a penalty of \$30,980 for Friedman and Schmitt’s three violations of CAA and Asbestos NESHAP.

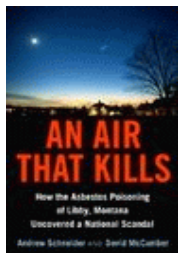
For the complete decision see the following website. <http://www.epa.gov/eab/new.htm>

Contractor and Asbestos License Revocations

The Virginia Board for Contractors issued 25 license revocations on January 20, 2004. In addition, the Virginia Board for Lead, Asbestos and Home Inspectors issued 11 license revocations and two suspensions on February 19, 2004. For company names, violations and board actions, visit www.dpor.virginia.gov. Click on Latest News.

An Air That Kills: How the Asbestos Poisoning of Libby, Montana, Uncovered a National Scandal

Andrew Schneider, David McCumber



The horrifying true story of the decades-long poisoning of a small town and the definitive expose of asbestos in America—told by the Pulitzer Prize-winning journalists who broke it. *An Air That Kills* is told through the eyes of the men and women who fought back—among them, a woman who watched more than forty members of her family succumb to asbestos; a miner who worked there and carried the poison home; and an EPA investigator who

battled not only one of the world’s most powerful corporations but also his superiors in Washington. It is the first book to reveal how deeply asbestos has embedded itself into the texture of America: how many people have died or are dying; how the industry and government repeatedly ignored the danger; and how, for many Americans, the dying is not over. It is a suspense story with real American heroes at its heart and one of the most important works of environmental journalism in years.

Updates to Asbestos Publications

The Environmental Protection Agency, in conjunction with the National Parent Teacher Association (PTA) and the National Education Association (NEA), released the 2003 update to the ABCs of Asbestos in Schools. The update was due to an ongoing concern about asbestos in elementary and secondary schools nationwide.

The pamphlet can help parent and teachers answer questions and learn the facts about asbestos in schools. It also outlines the responsibilities of school boards and other school officials to protect school children and employees from possible exposure to asbestos.

The updated copy is available online at www.epa.gov/asbestos. Click ‘Asbestos Resources’, then ‘Asbestos in Schools.’ This document is currently being translated into Spanish and will be available soon.

Added to the EPA Asbestos is a one page Question and Answer about Asbestos and Brakes. This document is available online at www.epa.gov/asbestos. Click ‘Asbestos Resources,’ then ‘Auto Mechanics.’

Other Asbestos Document Updates Coming Soon

100 Most Commonly Asked Questions About the AHERA Asbestos in Schools Rule

Gold Book “Guidance for Preventing Asbestos Disease Among Auto Mechanics”

Asbestos Fact Book

The Green Book “A Building Owners Guide to Operations and Maintenance Programs for Asbestos-Containing Materials”

The Purple Book “Guidance for Controlling Asbestos-Containing Materials in Buildings”

“Asbestos in Your Home” and “Asbestos in the Home” (these will be combined in the update)

“How to Manage Asbestos in School Buildings: The AHERA Designated Persons Self Study Guide”

“Answers to the Most Frequently Asked Questions About Reinspections: Under the AHERA Asbestos in Schools Rule”

If you do not have Internet access you may contact Carmen Caldwell at (206) 553-4762 and a printed copy of these publications. They can be mailed to you when available. Please continue to check the EPA Asbestos website (www.epa.gov/asbestos) for updated documents.

Request for Documents

EPA has produced many documents related to asbestos. Please contact the EPA Region 10 Public Environmental Resource Center at (206) 553-1200 or 1-800-424-4EPA. They can assist you with many of EPA’s published documents. Also, all of EPA’s asbestos regulations can be found online. Go to www.epa.gov/asbestos, then click on Laws and Regulations.

North Ridge Estates Removal

EPA is conducting an emergency removal of asbestos contamination in the North Ridge Estates subdivision near Klamath Falls, Oregon. The site is contaminated with asbestos containing debris that can pose a risk to the health of residents. The asbestos containing materials are from a demolished military facility that existed on the site in the 1940's.

In summer 2003, EPA took action to remove asbestos contamination from 22 residences in the North Ridge Estates neighborhood near Klamath Falls. The Oregon Department of Environmental Quality (DEQ) asked EPA to get involved when it learned that asbestos-laden debris throughout the subdivision could threaten the health of residents. EPA's work included removing more than 14,000 pounds of asbestos-containing materials from residential properties, and sampling air and soil to see if people were at risk.

In January 2004, EPA met with residents and shared some reassuring news that the indoor, outdoor and ambient air samples contained few asbestos fibers. Two soil sampling

analyses are underway, one by the responsible party and one by EPA. Soil data expected from the responsible party this spring will undergo a rigorous quality assurance review and validation by EPA before being released. In addition, EPA is analyzing another set of soil samples using "glove-box" and elutriator methods. EPA anticipates results of both soil sampling efforts will be available in May. The air and soil data will be part of the risk evaluation that will help determine the next steps in cleaning up the site.

More than two dozen homes at North Ridge Estates were built during the last decade on plots where military barracks once stood. The asbestos contamination originated from siding, roofing and steam pipes from about 80 buildings constructed in the 1940's. Many of the buildings were demolished in place, leaving a dangerous asbestos problem for future residents.

For more information, visit EPA's North Ridge Estates web site at: <http://yosemite.epa.gov/R10/CLEANUP.NSF/sites/NRE>



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About this publication

This publication is published in order to keep school districts, AHERA training providers and other interested parties informed of EPA activities pertaining to asbestos. This publication is distributed on a semi-annual basis. **Future newsletters will be available online, with a limited number of hard copies available upon request.**

If you have questions pertaining to the contents of this publication or questions about the federal asbestos program, you may contact Carmen Caldwell at (206) 553-4762.

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